

Remarks

Claims 1-9, 11, 17 and 19-24 are pending in the application, with claims 1, 17, and 19 being the independent claims. Claims 22-24 have been added. The amendments above do not add new matter.

Based on the above the above amendments and the following remarks, Applicants respectfully request reconsideration of the outstanding objections and rejections.

Rejections Under 35 U.S.C. § 102

Claims 1, 2, 4, 17, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,550,089 to Ussen. Independent claims 1, 17 and 19 have been amended above to recite that the drive unit includes “a motorized internal mechanism adapted to impart a tumbling motion to said drive unit, said motion having a random path determined solely by obstacles encountered by said drive unit.” Support for the random motion of the drive unit can be found at least at paragraphs 0001, 0011, and 0023 of the application as filed. Support for the tumbling motion of the drive unit can be found at least in Figures 2, 3A, 3B, and 7, and paragraph 45 of the application as filed.

The Ussen patent does not disclose a drive unit including a motorized internal mechanism adapted to impart a tumbling motion having a random path determined solely by obstacles encountered by the drive unit. Instead, a remotely controlled case with wheels is used to guide the Ussen cleaning device. Thus, someone needs to control the case of the Ussen patent around a room to clean debris. Thus, the path of the Ussen device is not

determined solely by the obstacles it encounters; instead, the path is determined by the user utilizing the remote control. The present invention, on the other hand, recites that the internal mechanism imparts a motion to the drive unit having a random path determined solely by the obstacles the drive unit encounters. Therefore, once turned on, the device is placed in a room and it randomly moves throughout the room and deflects off objects, corners, and other obstacles in the room.

For at least the reasons set forth above, the Ussen patent does not disclose each and every feature recited in independent claims 1, 17, and 19. Therefore, the Ussen patent does not anticipate these claims. Claims 2 and 4 depend from claim 1 and add features thereto, and therefore are not anticipated by the Ussen patent for at least the same reasons as claim 1. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 3, 6, 7, and 9 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Ussen patent document in view of U.S. Patent No. 3,742,547 to Sohmer. The Examiner relies on the Sohmer patent as disclosing a sheet that only partially encloses the drive unit. However, as noted above, the Ussen patent does not disclose a drive unit including an internal mechanism adapted to impart a tumbling motion having a random path determined solely by obstacles encountered by the drive unit. The Sohmer patent also fails to disclose such an internal mechanism, as the Sohmer patent is powered by manual action of a human. Accordingly, even if combined, the Ussen and Sohmer patents do not disclose or render obvious each and every feature recited in independent claim 1, from which claims

3, 6, 7, and 9 depend. Applicants therefore respectfully request that the rejection be withdrawn.

Claims 5 and 8 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Ussen patent as applied to claim 2, and the Ussen and Sohmer patents as applied to claim 3, in further view of U.S. Patent No. 3,696,557 to Ruppel. The Examiner relies on the Ruppel patent as disclosing an elliptical drive unit. However, claims 5 and 8 depend from amended independent claim 1. As noted above, neither the Ussen patent, nor the Sohmer patent, discloses the internal mechanism recited in amended independent claim 1. The Ruppel patent also fails to disclose such an internal mechanism adapted to impart a tumbling motion having a random path determined solely by obstacles encountered by the drive unit. The Ruppel patent, instead, discloses a motive means (16) that is retained in a groove (83) around an inner circumference of the egg-shaped shell (12). By retaining the motive means in the groove, the motive means does not impart a random motion to the shell. Accordingly, the device of the Ruppel does not disclose an internal mechanism adapted to impart a random motion to the drive unit, as recited in independent claim 1, from which claims 5 and 8 depend. Accordingly, even if combined, the references do not disclose the claimed subject matter. Applicants therefore respectfully request that the rejection be withdrawn.

Claims 1, 3, 11, 17, 19, and 21 stand rejected under 35 U.S.C. § 103 as being unpatentable over WO 02/39864 to Aasen in view of U.S. Published Application Publication No. 2001/0047559 to Graham et al. Independent claims 1, 17, and 19 have each been amended to recite that the drive unit includes “a motorized internal mechanism adapted to impart a tumbling motion to said drive unit, said motion having a random path determined

solely by obstacles encountered by said drive unit.” Independent claims 1, 17, and 19 further recite that the drive unit imparts a tumbling motion to the sheet. Neither the Aasen publication, nor the Graham et al. publication, alone or in combination, discloses such a mechanism. The Examiner relies on the top-hat (14) of the Aasen publication as the recited drive unit and the drive unit (12) of the Aasen publication as the recited motorized internal mechanism. However, the drive unit (12) of the Aasen device does not impart a tumbling motion to the top-hat (14), as recited in amended independent claims 1, 17, and 19. Further, the top-hat (14) of the Aasen device does not impart a tumbling motion to sheet (30) sheet. Instead, the top-hat (14) and sheet (30) of the Aasen device merely rotate parallel to the floor (about a vertical axis). They do not tumble in an end-over-end fashion as does the device recited in the claims of the present application. The Examiner relies on the Graham et al. publication as disclosing a sheet that is constructed for a snug fit without the use of adhesives or fasteners. However, the Graham et al. publication does not disclose a drive unit with a motorized internal mechanism that imparts a tumbling motion having a random path to the drive unit and the sheet, as recited in the claims. Accordingly, even if combined, the Aasen and Graham et al. publications do not disclose or render obvious the features recited in independent claims 1, 17, and 19. Claims 3, 11, and 21 depend directly or indirectly from independent claim 1 and are therefore patentable over the Aasen and Graham et al. publications for at least the same reasons as claim 1. Applicants therefore respectfully request that the rejection be withdrawn.

Claim 20 stands rejected under 35 U.S.C. § 103 as being unpatentable over the Ussen patent in view of the Aasen publication. As explained above, neither the Ussen patent, nor

the Aasen publication, discloses or renders obvious a drive unit including an internal mechanism that imparts a motion to the drive unit having a random path determined solely by obstacles encountered by the drive unit, as recited in independent claim 1, from which claim 20 depends. Accordingly, even if combined, the combination does not disclose or render obvious the invention recited in claim 20. Applicants therefore respectfully request that the rejection be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,
MEDLER FERRO PLLC

A handwritten signature in black ink, appearing to read 'A. Ferro', with a long horizontal flourish extending to the right.

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Date: January 18, 2007

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